

Official Journal of the European Union

L 251



English edition

Legislation

Volume 57

23 August 2014

Contents

II *Non-legislative acts*

INTERNATIONAL AGREEMENTS

- ★ **Council Decision 2014/537/CFSP of 3 July 2014 on the signing and conclusion, on behalf of the European Union, of the Agreement between the European Union and the Central African Republic concerning the detailed arrangements for the transfer to the Central African Republic of persons detained by the European Union military operation (EUFOR RCA) in the course of carrying out its mandate, and concerning the guarantees applicable to such persons** 1
- Agreement between the European Union and the Central African Republic concerning detailed arrangements for the transfer to the Central African Republic of persons detained by the European Union military operation (EUFOR RCA) in the course of carrying out its mandate, and concerning the guarantees applicable to such persons 3
- ★ **Council Decision 2014/538/CFSP of 8 July 2014 on the signing and conclusion of the Agreement between the European Union and the Republic of Colombia establishing a framework for the participation of the Republic of Colombia in European Union crisis management operations** 7
- Agreement between the European Union and the Republic of Colombia establishing a framework for the participation of the Republic of Colombia in European Union crisis management operations 8

REGULATIONS

- ★ **Commission Implementing Regulation (EU) No 916/2014 of 22 August 2014 approving the basic substance sucrose in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011 ⁽¹⁾** 16

⁽¹⁾ Text with EEA relevance

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

★ Commission Implementing Regulation (EU) No 917/2014 of 22 August 2014 approving the active substance <i>Streptomyces lydicus</i> strain WYEC 108 in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011 ⁽¹⁾	19
★ Commission Implementing Regulation (EU) No 918/2014 of 22 August 2014 amending Implementing Regulation (EU) No 540/2011 as regards the conditions of approval of the active substance Straight Chain Lepidopteran Pheromones ⁽¹⁾	24
Commission Implementing Regulation (EU) No 919/2014 of 22 August 2014 establishing the standard import values for determining the entry price of certain fruit and vegetables	27

⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION 2014/537/CFSP

of 3 July 2014

on the signing and conclusion, on behalf of the European Union, of the Agreement between the European Union and the Central African Republic concerning the detailed arrangements for the transfer to the Central African Republic of persons detained by the European Union military operation (EUFOR RCA) in the course of carrying out its mandate, and concerning the guarantees applicable to such persons

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 37 thereof, in conjunction with Article 218(5) and (6) of the Treaty on the Functioning of the European Union,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 10 February 2014, the Council adopted Decision 2014/73/CFSP ⁽¹⁾ on a Union military operation in the Central African Republic (EUFOR RCA).
- (2) Following the adoption, on 14 March 2014, of a Decision by the Council authorising the opening of negotiations, the High Representative, in accordance with Article 37 of the Treaty on European Union, negotiated an Agreement between the European Union and the Central African Republic concerning the detailed arrangements for the transfer to the Central African Republic of persons detained by the European Union military operation (EUFOR RCA) in the course of carrying out its mandate, and concerning the guarantees applicable to such persons ('the Agreement').
- (3) In accordance with Article 5 of Protocol (No 22) on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark does not participate in the elaboration and the implementation of decisions and actions of the Union which have defence implications. Denmark does not participate in the implementation of this Decision and therefore does not participate in the financing of this operation.
- (4) The Agreement should be approved,

HAS ADOPTED THIS DECISION:

Article 1

The Agreement between the European Union and the Central African Republic concerning the detailed arrangements for the transfer to the Central African Republic of persons detained by the European Union military operation (EUFOR RCA) in the course of carrying out its mandate, and concerning the guarantees applicable to such persons is hereby approved on behalf of the Union.

The text of the Agreement is attached to this Decision.

⁽¹⁾ Council Decision 2014/73/CFSP of 10 February 2014 on a European Union military operation in the Central African Republic (EUFOR RCA) (OJ L 40, 11.2.2014, p. 59).

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement in order to bind the Union.

Article 3

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 3 July 2014.

For the Council

The President

S. GOZI

TRANSLATION

AGREEMENT

between the European Union and the Central African Republic concerning detailed arrangements for the transfer to the Central African Republic of persons detained by the European Union military operation (EUFOR RCA) in the course of carrying out its mandate, and concerning the guarantees applicable to such persons

The European Union, hereinafter referred to as the 'EU',

of the one part,

and

the Central African Republic, hereinafter referred to as the 'CAR',

of the other part,

hereinafter collectively referred to as the 'Parties',

WISHING to cooperate in the restoration of security and the rule of law in the Central African Republic and to help improve the humanitarian situation and protect the civilian population;

HAVING REGARD to United Nations Security Council Resolution 2134 (2014), in particular paragraph 44 thereof, authorising the EU operation in the Central African Republic to take all necessary measures in order to fulfil its missions;

HAVING REGARD to Decision 2014/73/CFSP of the Council of the European Union establishing, in application of United Nations Security Council Resolution 2134 (2014), a European Union military operation in the Central African Republic (EUFOR RCA) in order to contribute to the stabilisation of the situation;

WHEREAS it may prove necessary to detain persons for a short period in order to fulfil the mandate of EUFOR RCA, in particular to allow their transfer to the CAR authorities, in particular when they are suspected of having committed serious crimes or offences under CAR criminal law or in order to ensure the safety of EUFOR RCA and its personnel;

WHEREAS EUFOR RCA shall carry out the detention of those persons under United Nations Security Council Resolution 2134 (2014), in particular paragraph 44 thereof, in accordance with the applicable rules of international human rights law and of international humanitarian law and shall ensure that, where possible, the competent CAR authorities are informed of such detention;

WHEREAS the detention of those persons by EUFOR RCA may be followed by their transfer to the competent CAR authorities, in compliance with the applicable rules of international law, or by their release;

WHEREAS the detention of those persons by EUFOR RCA may also be followed by their being interned as decided by EUFOR RCA under the law of armed conflicts, or by their being held in the custody of EUFOR RCA with the authorisation of the CAR judicial authorities;

CONSCIOUS of the need to agree with the CAR the detailed arrangements for transferring those persons, as well as the guarantees applicable to them, in particular during the criminal proceedings which may be started by the CAR;

WHEREAS this Agreement affects neither the CAR's rights and obligations under the Statute of the International Criminal Court, nor the EU's commitment to supporting that Court;

CONSCIOUS of the fact that the situation in the CAR has been referred to the International Criminal Court, and wishing to cooperate with that Court;

WISHING to cooperate with the international commission of inquiry established in accordance with paragraph 24 of United Nations Security Council Resolution 2127 (2013), whose mission is to investigate reports of violations of international humanitarian law and international human rights law and abuses of human rights in the CAR by all parties to the CAR conflict since 1 January 2013;

DETERMINED to respect and guarantee the fulfilment of their legal obligations, in particular under the applicable international humanitarian law and international human rights law, and recalling in this regard the provisions of paragraph 48 of United Nations Security Council Resolution 2134 (2014),

HAVE AGREED AS FOLLOWS:

General provisions

Article 1

The aim of this Agreement is to establish the principles and procedures governing, on the one hand, the detailed arrangements for transferring to the CAR persons detained by EUFOR RCA and, on the other hand, the guarantees applicable to them after they have been transferred to the CAR, in order to ensure that the Parties fulfil their obligations under international law.

Article 2

For the purposes of this Agreement:

1. 'EUFOR RCA' means EUFOR RCA as understood in the Exchange of Letters between the CAR and the EU of 13 March 2014;
2. 'Transferred persons' means persons detained by EUFOR RCA in the course of carrying out its mandate when they are suspected of having committed serious crimes or offences under CAR criminal law, and who are transferred by EUFOR RCA to the CAR;
3. 'Third party' means any State or organisation not party to this Agreement.

Transfer arrangements

Article 3

1. EUFOR RCA may transfer to the CAR the persons it detains under the conditions hereinafter laid down.
2. EUFOR RCA shall not transfer any person to the CAR if there is reason to believe that the guarantees laid down in this Agreement will not be respected.
3. Before any transfer, EUFOR RCA shall:
 - (a) inform, without undue delay, the person of the decision to transfer him or her;
 - (b) give the person the opportunity to express any concerns regarding his or her transfer;
 - (c) before taking a final decision on the transfer, examine any concerns so expressed.
4. If a person detained by EUFOR RCA is not transferred to the CAR as quickly as possible, he or she may continue to be detained by EUFOR RCA, provided that the competent judicial authorities of the Central African Republic have authorised such continuing detention. During the provisional detention, the person concerned shall benefit from the rights and guarantees conferred by international law on persons in provisional detention.
5. When the transfer takes place, and with the consent of the transferred person, EUFOR RCA shall inform the International Committee of the Red Cross (ICRC) and, if applicable, any other organisation referred to in Article 6(1) and, for foreign persons, the consular authorities of the State of which the person is a national.
6. When the transfer takes place, EUFOR RCA shall send to the CAR all the information it holds which the CAR judicial authorities need.
7. EUFOR RCA shall keep a register recording all information concerning each person transferred or detained in accordance with paragraph 4. That information shall include the person's identity, the place of detention, the date of the transfer, the person's state of health and any decision taken in respect of that person.

Treatment of transferred persons

Article 4

1. The CAR shall treat all transferred persons humanely at all times, without making any adverse distinction, and in accordance with the applicable rules of international law.
2. To this effect, the persons covered by this Agreement shall benefit from guarantees identical to those provided for by the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 10 December 1984, the relevant provisions of the International Covenant on Civil and Political Rights of 16 December 1966 and the International Convention for the Protection of All Persons from Enforced Disappearance of 20 December 2006, in accordance with the applicable rules of international human rights law, as well as those provided for by the common Article 3 of the Geneva Conventions of 12 August 1949 and their Additional Protocol relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II) adopted on 8 June 1977, in accordance with the applicable rules of international humanitarian law.
3. The CAR shall treat transferred persons of under 18 years of age in accordance with international humanitarian law and international human rights law, in particular the Convention of the Rights of the Child of 20 November 1989 and the optional protocol thereto of 25 May 2000 on the involvement of children in armed conflict, in particular by allowing them to stay in touch with their families and detaining them in a place or premises separate from the places of detention for adults, except in the case of families held as family units.
4. In the event that a transferred person risks the death penalty or a penalty constituting cruel, inhumane or degrading treatment, such a penalty shall neither be sought, imposed nor carried out by the CAR with respect to that person.
5. No person transferred pursuant to this Article may subsequently be transferred to a third party without the prior written agreement of the EU. In the event of subsequent transfer to a third party, the CAR shall ensure that the third party complies with the guarantees laid down in paragraphs 1, 2 and 3 and shall ensure that in the event that a transferred person risks the death penalty or a penalty constituting cruel, inhumane or degrading treatment, such a penalty shall not be sought, imposed or carried out with respect to that person. In the event of subsequent transfer to any third party, the CAR shall guarantee the EU a right of unrestricted access to the persons so transferred.

Registration, monitoring of the conditions of detention of transferred persons and access to detained persons

Article 5

1. Transferred persons may present requests or complaints to the CAR regarding the way they are treated. The CAR shall undertake to examine any such request or complaint without delay and to communicate it immediately to EUFOR RCA.
2. If the EU considers that a transferred person is not being treated in accordance with this Agreement, it shall ask the CAR to take the necessary remedial measures. The CAR shall implement such measures as quickly as possible.
3. Representatives of the EU or of EUFOR RCA shall be authorised to visit all places containing transferred persons. They shall have access to all premises used by transferred persons. They shall also be authorised to visit places of detention, departure, transit or arrival of transferred persons. They may speak without witnesses to transferred persons, and to any other person considered relevant by the EU or by EUFOR RCA, through an interpreter if necessary.
4. Such representatives shall be given complete freedom regarding their choice of places and premises to visit. The duration and frequency of their visits shall not be restricted. They shall be not be forbidden access, except on grounds of imperative military necessity and then only on an exceptional and temporary basis.
5. In the event of subsequent transfer to any third party, the CAR shall guarantee that the EU has a right of unrestricted access to the persons so transferred.
6. The CAR shall keep a register in which it records all information concerning each transferred person. Such information shall include the person's identity, the date of the start of detention following the transfer or, if applicable, of his or her release, the place of detention, the person's state of health and any decision taken with respect to him or her.
7. That register may be consulted by the representatives of the EU or EUFOR RCA upon their request.

Article 6

1. The ICRC, or any other impartial humanitarian organisation mutually approved by the Parties, shall have a permanent right of access to the transferred persons.
2. Transferred persons may submit requests or complaints regarding the way they are treated to the ICRC and, if applicable, to any other organisation referred to in paragraph 1.
3. The register referred to in Article 5(6) may be consulted by the ICRC or, if applicable, by any other organisation referred to in paragraph 1.
4. The ICRC and, if applicable, any other organisation referred to in paragraph 1, shall be authorised to visit any premises containing transferred persons. They shall have access to all premises used by transferred persons. They shall also be authorised to visit places of detention, departure, transit or arrival of transferred persons. They may speak without witnesses, and through an interpreter if necessary, to transferred persons and to any other person considered relevant by the CAR or EUFOR RCA.
5. Representatives of those organisations shall be given complete freedom regarding their choice of places to visit. The duration and frequency of their visits shall not be restricted. They shall be not be forbidden access, except on grounds of imperative military necessity and then only on an exceptional and temporary basis.
6. The ICRC and, if applicable, any other organisation referred to in paragraph 1, shall be notified by the CAR of the release of any transferred person.

International Criminal Court*Article 7*

EUFOR RCA may transfer to the International Criminal Court persons detained by EUFOR RCA in respect of whom the International Criminal Court has issued a warrant of arrest pursuant to Article 58 of its Statute. EUFOR RCA shall inform the CAR of each transfer in advance.

Final Provisions*Article 8*

The competent authorities of the CAR and the Commander of EUFOR RCA may conclude arrangements in order to implement this Agreement.

Article 9

Any disputes concerning the interpretation or application of this Agreement shall be settled through consultation between the Parties.

Article 10

1. This Agreement shall enter into force on the date it is signed and shall remain in force until the end of EUFOR RCA's deployment, unless the Parties agree to end it by mutual agreement or one of them renounces it in writing with one month's notice.
2. The Parties may, at any time and by mutual agreement, make written amendments to this Agreement.
3. The expiry or the termination of this Agreement shall not affect the rights and obligations resulting from the implementation of the Agreement prior to that expiry or termination, in particular as regards the obligations of the Parties concerning the treatment of the transferred persons and the permanent right of access to them.

Done at Bangui, 18 July 2014, in two originals in the French language.

For the European Union

For the Central African Republic

COUNCIL DECISION 2014/538/CFSP**of 8 July 2014****on the signing and conclusion of the Agreement between the European Union and the Republic of Colombia establishing a framework for the participation of the Republic of Colombia in European Union crisis management operations**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 37 thereof, in conjunction with Article 218(5) and (6) of the Treaty on the Functioning of the European Union,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) Conditions regarding the participation of third States in Union crisis management operations should be laid down in an agreement establishing a framework for such possible future participation, rather than being defined on a case-by-case basis for each operation concerned.
- (2) Following the adoption of a Decision by the Council on 17 February 2014 authorising the opening of negotiations, the High Representative of the Union for Foreign Affairs and Security Policy negotiated an Agreement between the European Union and the Republic of Colombia establishing a framework for the participation of the Republic of Colombia in European Union crisis management operations ('the Agreement').
- (3) The Agreement should be approved,

HAS ADOPTED THIS DECISION:

Article 1

The Agreement between the European Union and the Republic of Colombia establishing a framework for the participation of the Republic of Colombia in the European Union crisis management operations is hereby approved on behalf of the Union.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement in order to bind the Union.

Article 3

The President of the Council shall, on behalf of the Union, give the notification provided for in Article 17(1) of the Agreement ⁽¹⁾.

Article 4

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 8 July 2014.

For the Council

The President

P. C. PADOAN

⁽¹⁾ The date of entry into force of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

AGREEMENT**between the European Union and the Republic of Colombia establishing a framework for the participation of the Republic of Colombia in European Union crisis management operations**

THE EUROPEAN UNION (the 'Union' or the 'EU')

of the one part, and

THE REPUBLIC OF COLOMBIA

of the other part,

hereinafter jointly referred to as the 'Parties',

Whereas:

- (1) In the framework of its Common Security and Defence Policy, the European Union may decide to undertake crisis management operations which may include the tasks set out in Articles 42(1) and 43(1) of the Treaty on European Union, as decided by the Council.
- (2) The Republic of Colombia and the EU recognise the importance of world peace for the development of all States, and remain committed to contributing towards maintaining peace and security in their respective neighbourhood and in the broader world, based on the principles of the United Nations Charter.
- (3) Considering the commitment between the Parties to strengthening their cooperation in matters concerning security and defense, and recognising that the capabilities and abilities of the security forces of the Republic of Colombia could be used in EU crisis management operations.
- (4) The Republic of Colombia and the EU wish to set down general conditions regarding the participation of the Republic of Colombia in EU crisis management operations in an agreement establishing a framework for such possible future participation, rather than defining those conditions on a case-by-case basis for each operation concerned.
- (5) Such an agreement should be without prejudice to the decision-making autonomy of the Union, and should not prejudice the case-by-case nature of the decision by the Republic of Colombia to participate in an EU crisis management operation.
- (6) The Union will decide whether third States will be invited to participate in an EU crisis management operation. The Republic of Colombia may accept the invitation by the Union and offer its contribution. In such a case, the Union will decide on the acceptance of the proposed contribution,

HAVE AGREED AS FOLLOWS:

SECTION I**GENERAL PROVISIONS***Article 1***Decisions relating to participation**

1. Following the decision of the Union to invite the Republic of Colombia to participate in an EU crisis management operation, the Republic of Colombia shall, in the implementation of this Agreement, communicate the decision of its competent authority regarding its participation, including its proposed contribution, to the European Union.

2. The assessment by the Union of the proposed contribution by the Republic of Colombia shall be conducted in consultation with the latter.
3. The Union shall provide the Republic of Colombia with an early indication of the likely contribution to the common costs of the operation as soon as possible with a view to assisting the Republic of Colombia in the formulation of its offer.
4. The Union shall communicate the outcome of its assessment and decision on the proposed Colombian contribution to the Republic of Colombia in writing, with a view to securing the participation of the Republic of Colombia, in accordance with the provisions of this Agreement
5. The offer by the Republic of Colombia pursuant to paragraph 1, and its acceptance by the EU pursuant to paragraph 4, shall constitute the basis for the application of this Agreement to each specific crisis management operation.
6. The Republic of Colombia may, on its own initiative or at the request of the Union, and following consultations between the Parties, withdraw wholly or in part, at any time, from participation in an EU crisis management operation.

Article 2

Framework

1. The Republic of Colombia shall associate itself with the relevant Council Decision by which the Council of the European Union decides that the Union will conduct a crisis management operation, and with any other Decision by which the Council of the European Union decides to extend an EU crisis management operation, in accordance with the provisions of this Agreement and any required implementing arrangements.
2. The contribution of the Republic of Colombia to an EU crisis management operation shall be without prejudice to the decision-making autonomy of the Union.

Article 3

Status of personnel and forces of the Republic of Colombia

1. The status of personnel seconded to an EU civilian crisis management operation and/or of the forces contributed to an EU military crisis management operation by the Republic of Colombia shall be governed by the relevant agreement on the status of forces/mission, if such is concluded, or by any other arrangement between the Union and the State(s) in which the operation is conducted. The Republic of Colombia shall be informed thereof.
2. The status of personnel contributed to headquarters or command elements located outside the State(s) in which the EU crisis management operation takes place shall be governed by arrangements between the headquarters and command elements concerned and the competent authorities of the Republic of Colombia.
3. Without prejudice to the agreement on the status of forces/mission referred to in paragraph 1, the Republic of Colombia shall exercise jurisdiction over its personnel participating in the EU crisis management operation. Where the forces of the Republic of Colombia operate on board of a vessel or aircraft of a Member State of the European Union, that Member State may exercise jurisdiction subject to any existing and/or future agreements, and in accordance with its laws and regulations and with international law.
4. The Republic of Colombia shall be responsible for answering any claims linked to the participation in an EU crisis management operation, from or concerning any of its personnel and shall be responsible for bringing any action, in particular legal or disciplinary, against any of its personnel in accordance with its laws and regulations.
5. The Parties agree to waive any and all claims, other than contractual claims, against each other for damage to, loss of, or destruction of assets owned or operated by either Party, or injury or death of personnel of either Party, arising out of the performance of their official duties in connection with activities under this Agreement, except in the case of gross negligence or wilful misconduct.
6. The Republic of Colombia undertakes to make a declaration as regards the waiver of claims against any State participating in an EU crisis management operation in which the Republic of Colombia participates, and to do so when signing this Agreement.

7. The Union undertakes to ensure that the Member States of the European Union make a declaration as regards the waiver of claims for any future participation of the Republic of Colombia in an EU crisis management operation, and to do so when signing this Agreement.

Article 4

Classified information

1. The Republic of Colombia shall take appropriate measures to ensure that EU classified information is protected in accordance with the Council security rules for protecting EU classified information, contained in Council Decision 2013/488/EU ⁽¹⁾, and in accordance with further guidance issued by competent authorities, including by the EU Operation Commander concerning an EU military crisis management operation, or by the Head of Mission concerning an EU civilian crisis management operation.

2. Where the Parties conclude an agreement on security procedures for the exchange of classified information, such agreement shall apply in the context of an EU crisis management operation.

SECTION II

PROVISIONS ON PARTICIPATION IN EU CIVILIAN CRISIS MANAGEMENT OPERATIONS

Article 5

Personnel seconded to an EU civilian crisis management operation

1. The Republic of Colombia:
 - (a) shall ensure that its personnel seconded to an EU civilian crisis management operation undertake their mission in accordance with:
 - (i) the relevant Council Decision and its subsequent amendments as referred to in Article 2(1);
 - (ii) the Operation Plan;
 - (iii) any applicable implementing arrangements.
 - (b) shall inform the Civilian Operation Commander in due time of any change to its contribution to the EU civilian crisis management operation.
2. Personnel seconded by the Republic of Colombia to an EU civilian crisis management operation shall undergo a medical examination, vaccination and be certified medically fit for duty by its competent authority, and shall produce a copy of that certification.
3. Personnel seconded by the Republic of Colombia shall carry out their duties and conduct themselves solely with the interests of the EU civilian crisis management operation in mind.

Article 6

Chain of command

1. All personnel participating in an EU civilian crisis management operation shall remain under the full command of their national authorities.
2. National authorities shall transfer operational control to the Civilian Operation Commander of the Union.
3. The Civilian Operation Commander shall assume responsibility and exercise command and control of the EU civilian crisis management operation at strategic level.
4. The Head of Mission shall assume responsibility and exercise command and control of the EU civilian crisis management operation at theatre level and assume its day-to-day management.

⁽¹⁾ Council Decision 2013/488/EU of 23 September 2013 on the security rules for protecting EU classified information (OJ L 274, 15.10.2013, p. 1).

5. The Republic of Colombia shall have the same rights and obligations in terms of day-to-day management of the operation as the Member States of the European Union taking part in the operation, in accordance with the legal instruments referred to in Article 2(1).
6. The Head of Mission shall be responsible for disciplinary control over the personnel of the EU civilian crisis management operation. Where required, disciplinary action shall be taken by the national authority concerned.
7. A National Contingent Point of Contact ('NPC') shall be appointed by the Republic of Colombia to represent its national contingent in the operation. The NPC shall report to the Head of Mission on national matters and shall be responsible for the day-to-day discipline of the contingent of the Republic of Colombia.
8. The decision to end the operation shall be taken by the Union, following consultation with the Republic of Colombia if it is still contributing to the EU civilian crisis management operation at the date of termination of the operation.

Article 7

Financial aspects

1. Without prejudice to Article 8, the Republic of Colombia shall assume all the costs associated with its participation in an EU civilian crisis management operation apart from the running costs, as set out in the operational budget of the operation.
2. In case of death, injury, loss or damage to natural or legal persons from the State(s) in which the operation is conducted, issues of possible liability and compensation by the Republic of Colombia shall be governed by the conditions set out in the applicable agreement on the status of mission referred to in Article 3(1) or any alternative applicable provisions.

Article 8

Contribution to the operational budget

1. Subject to paragraph 4 of this Article and notwithstanding Article 1(5), the Republic of Colombia shall contribute to the financing of the operational budget of the EU civilian crisis management operation concerned.
2. Such contribution to the operational budget shall be calculated on the basis of either of the following formulae, whichever produces the lower amount:
 - (a) the share of the reference amount for the operational budget which is in proportion to the ratio of the Republic of Colombia's gross national income (GNI) to the total GNIs of all States contributing to the operational budget of the operation; or
 - (b) the share of the reference amount for the operational budget which is in proportion to the ratio of the number of personnel from the Republic of Colombia participating in the operation to the total number of personnel of all States participating in the operation.
3. Notwithstanding paragraphs 1 and 2, the Republic of Colombia shall not make any contribution towards the financing of per diem allowances paid to personnel of the Member States of the European Union.
4. Notwithstanding paragraph 1, the Union shall, in principle, exempt the Republic of Colombia from financial contributions to a particular EU civilian crisis management operation if it decides that the Republic of Colombia provides a significant contribution for that operation.
5. Subject to paragraph 1, any arrangement on the payment of the contributions of the Republic of Colombia to the operational budget of an EU civilian crisis management operation shall be signed between the competent authorities of the Parties and shall, inter alia, include the following provisions on:
 - (a) the amount of the financial contribution concerned;
 - (b) the arrangements for payment of the financial contribution; and
 - (c) the auditing procedure.

SECTION III

PROVISIONS ON PARTICIPATION IN EU MILITARY CRISIS MANAGEMENT OPERATIONS*Article 9***Participation in an EU military crisis management operation**

1. The Republic of Colombia shall ensure that its forces and personnel participating in an EU military crisis management operation undertake their mission in accordance with:
 - (a) the relevant Council Decision and its subsequent amendments as referred to in Article 2(1);
 - (b) the Operation Plan; and
 - (c) any applicable implementing arrangements.
2. The Republic of Colombia shall inform the EU Operation Commander in due time of any change to its participation in the operation.
3. Personnel seconded by the Republic of Colombia shall carry out their duties and conduct themselves solely with the interests of the EU military crisis management operation in mind.

*Article 10***Chain of command**

1. All forces and personnel participating in an EU military crisis management operation shall remain under the full command of their national authorities.
2. National authorities shall transfer the Operational and Tactical command and/or control of their forces and personnel to the EU Operation Commander, who is entitled to delegate his authority.
3. The Republic of Colombia shall have the same rights and obligations in terms of the day-to-day management of the operation as the Member States of the European Union taking part in the operation, in accordance with the legal instruments referred to in Article 2(1).
4. The EU Operation Commander may, following consultations with the Republic of Colombia, at any time request the withdrawal of the contribution by the Republic of Colombia.
5. A Senior Military Representative ('SMR') shall be appointed by the Republic of Colombia to represent its national contingent in the EU military crisis management operation. The SMR shall consult with the EU Force Commander on all matters affecting the operation and shall be responsible for the day-to-day discipline of the contingent of the Republic of Colombia.

*Article 11***Financial aspects**

1. Without prejudice to Article 12 of this Agreement, the Republic of Colombia shall assume all the costs associated with its participation in the operation unless the costs are subject to common funding as provided for in the legal instruments referred to in Article 2(1), as well as in Council Decision 2011/871/CFSP ⁽¹⁾.
2. In case of death, injury, loss or damage to natural or legal persons from the State(s) in which the operation is conducted, issues of possible liability and compensation by the Republic of Colombia shall be governed by the conditions set out in the applicable agreement on the status of forces referred to in Article 3(1) or any applicable alternative provisions.

⁽¹⁾ Council Decision 2011/871/CFSP of 19 December 2011 establishing a mechanism to administer the financing of the common costs of European Union operations having military or defence implications (Athena) (OJ L 343, 23.12.2011, p. 35).

*Article 12***Contribution to the common costs**

1. Subject to paragraph 3 of this Article and notwithstanding Article 1(5), the Republic of Colombia shall contribute to the financing of the common costs of the EU military crisis management operation concerned.
2. Such contribution to the common costs shall be calculated on the basis of either of the following formulae, whichever produces the lower amount:
 - (a) the share of the common costs which is in proportion to the ratio of the Republic of Colombia's GNI to the total GNIs of all States contributing to the common costs of the operation; or
 - (b) the share of the common costs which is in proportion to the ratio of the number of personnel from the Republic of Colombia participating in the operation to the total number of personnel of all States participating in the operation.

Where the formula under point (b) is used, and the Republic of Colombia contributes personnel to the Operation or Force Headquarters only, the ratio used shall be that of its personnel to that of the total number of the respective headquarters personnel. In other cases, the ratio shall be that of all personnel contributed by the Republic of Colombia to that of the total personnel of the operation.

3. Notwithstanding paragraph 1, the Union shall, in principle, exempt the Republic of Colombia from financial contributions to the common costs of a particular EU military crisis management operation if it decides that the Republic of Colombia provides a significant contribution to that operation;
4. Subject to paragraph 1, any arrangements for the payment of the contributions of the Republic of Colombia to the common costs shall be concluded between the competent authorities of the Parties and shall include, inter alia, the following provisions on:
 - (a) the amount of the financial contribution concerned;
 - (b) the arrangements for payment of the financial contribution; and
 - (c) the auditing procedure.

SECTION IV

FINAL PROVISIONS*Article 13***Arrangements to implement the Agreement**

Without prejudice to Articles 8(5) and 12(4), any necessary technical and administrative arrangements in pursuance of the implementation of this Agreement shall be concluded between the competent authorities of the Parties.

*Article 14***Competent authorities**

For the purposes of this Agreement, the competent authorities of the Republic of Colombia shall be the Ministry of National Defence, unless the European Union is otherwise notified.

*Article 15***Non-compliance**

Should either Party fail to comply with its obligations under this Agreement, the other Party shall have the right to terminate this Agreement by providing one month's written notice.

*Article 16***Dispute settlement**

Disputes concerning the interpretation or application of this Agreement shall be settled by diplomatic means between the Parties.

Article 17

Entry into force, duration and termination

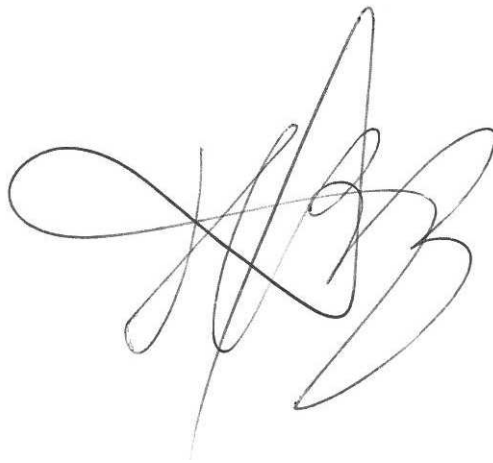
1. This Agreement shall enter into force on the first day of the first month after the Parties have notified each other of the completion of the internal legal procedures necessary for the entry into force of this Agreement.
2. This Agreement shall be reviewed upon the request of either Party.
3. This Agreement may be amended on the basis of a mutual written agreement between the Parties. The amendments shall enter into force in accordance with the procedure laid down in paragraph 1.
4. This Agreement may be denounced by either Party by written notice of denunciation given to the other Party. Such denunciation shall take effect six months after receipt of notification by the other Party.

IN WITNESS WHEREOF, the undersigned, both being duly authorised thereto by the respective Parties, have signed this Agreement.

Done at Bogota on the *fifth* day of August in the year two thousand and fourteen, in the English and Spanish language, each being equally authentic.

For the European Union

For the Republic of Colombia

A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke.A handwritten signature in black ink, featuring a large circular loop at the top and a horizontal line at the bottom.

—

**DECLARATION BY THE MEMBER STATES OF THE EU APPLYING AN EU COUNCIL DECISION ON AN EU
CRISIS MANAGEMENT OPERATION, IN WHICH THE REPUBLIC OF COLOMBIA PARTICIPATES
REGARDING THE WAIVER OF CLAIMS**

The EU Member States applying an EU Council Decision on an EU crisis management operation in which the Republic of Colombia participates will endeavour, insofar as their internal legal systems so permit, to waive as much as possible any claims against the Republic of Colombia for injury to, or death of their personnel, or damage to, or loss of, any assets owned by them and used by the EU crisis management operation if such injury, death, damage or loss:

- was caused by personnel, contributed by the Republic of Colombia to an EU crisis management operation, in the execution of their duties in connection with the EU crisis management operation, except in case of gross negligence or wilful misconduct; or
- arose from the use of any assets owned by the Republic of Colombia, provided that the assets were used in connection with the operation, and except in the case of gross negligence or wilful misconduct of personnel contributed by the Republic of Colombia to the EU crisis management operation, using those assets.’

**DECLARATION BY THE REPUBLIC OF COLOMBIA REGARDING THE WAIVER OF CLAIMS AGAINST ANY
STATE PARTICIPATING IN EU CRISIS MANAGEMENT OPERATIONS**

The Republic of Colombia, having agreed to participate in an EU crisis management operation, will endeavour, insofar as its internal legal system so permits, to waive as much as possible any claims against any State participating in the EU crisis management operation for injury to, or death of its personnel, or damage to, or loss of, any assets owned by it and used by the EU crisis management operation if such injury, death, damage or loss:

- was caused by personnel in the execution of their duties in connection with the EU crisis management operation, except in case of gross negligence or wilful misconduct; or
 - arose from the use of any assets owned by States participating in the EU crisis management operation, provided that the assets were used in connection with the operation and except in the case of gross negligence or wilful misconduct of EU crisis management operation personnel using those assets.’
-

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 916/2014

of 22 August 2014

approving the basic substance sucrose in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC ⁽¹⁾, and in particular Article 23(5) in conjunction with Article 13(2) thereof,

Whereas:

- (1) In accordance with Article 23(3) of Regulation (EC) No 1107/2009, the Commission received on 24 April 2013 an application from ITAB for the approval of sucrose as basic substance. That application was accompanied by the information required by the second subparagraph of Article 23(3).
- (2) The Commission asked the European Food Safety Authority (hereinafter 'the Authority') for scientific assistance. The Authority presented to the Commission a Technical Report on the substance concerned on 12 June 2014 ⁽²⁾. The Commission presented the review report ⁽³⁾ and the draft of this Regulation on the approval of sucrose to the Standing Committee on Plants, Animals, Food and Feed on 11 July 2014.
- (3) The documentation provided by the applicant shows that sucrose fulfils the criteria of a foodstuff as defined in Article 2 of Regulation (EC) No 178/2002 of the European Parliament and of the Council ⁽⁴⁾. Moreover, it is not predominantly used for plant protection purposes but nevertheless is useful in plant protection in a product consisting of the substance and water. Consequently, it is to be considered as a basic substance.
- (4) It has appeared from the examinations made that sucrose may be expected to satisfy, in general, the requirements laid down in Article 23 of Regulation (EC) No 1107/2009, in particular with regard to the uses which were examined and detailed in the Commission review report. It is therefore appropriate to approve sucrose as a basic substance.
- (5) In accordance with Article 13(2) of Regulation (EC) No 1107/2009 in conjunction with Article 6 thereof and in the light of current scientific and technical knowledge, it is, however, necessary to include certain conditions for the approval which are detailed in Annex I to this Regulation.
- (6) In accordance with Article 13(4) of Regulation (EC) No 1107/2009, the Annex to Commission Implementing Regulation (EU) No 540/2011 ⁽⁵⁾ should be amended accordingly.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ Outcome of the consultation with Member States and EFSA on the basic substance application for sucrose/saccharose and the conclusions drawn by EFSA on the specific points raised. 2014:EN-616, 27 pp.

⁽³⁾ http://ec.europa.eu/sanco_pesticides/public/?event=homepage

⁽⁴⁾ Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1).

⁽⁵⁾ Commission Implementing Regulation (EU) No 540/2011 of 25 May 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances (OJ L 153, 11.6.2011, p. 1).

HAS ADOPTED THIS REGULATION:

Article 1

Approval of a basic substance

The substance sucrose as specified in Annex I is approved as basic substance subject to the conditions laid down in that Annex.

Article 2

Amendments to Implementing Regulation (EU) No 540/2011

Part C of the Annex to Implementing Regulation (EU) No 540/2011 is amended in accordance with Annex II to this Regulation.

Article 3

Entry into force and date of application

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 22 August 2014.

For the Commission

The President

José Manuel BARROSO

ANNEX I

Common name, identification numbers	IUPAC Name	Purity ⁽¹⁾	Date of approval	Specific provisions
Sucrose CAS no: 57-50-1	α -D-glucopyranosyl-(1 $\rightarrow$ 2)- β -D-fructofuranoside or β -D-fructofuranosyl-(2 $\rightarrow$ 1)- α -D-glucopyranoside	Food grade	1 January 2015	Only uses as basic substance being an elicitor of the crop's natural defence mechanisms are approved. Sucrose shall be used in accordance with the specific conditions included in the conclusions of the review report on sucrose (SANCO/11406/2014) and in particular Appendices I and II thereof, as finalised in the Standing Committee on Plants, Animals, Food and Feed on 11 July 2014.

⁽¹⁾ Further details on identity, specification and manner of use of basic substance are provided in the review report.

ANNEX II

In Part C of the Annex to Implementing Regulation (EU) No 540/2011, the following entry is added:

Number	Common name, identification numbers	IUPAC Name	Purity ⁽¹⁾	Date of approval	Specific provisions
'3	Sucrose CAS no: 57-50-1	α -D-glucopyranosyl-(1 $\rightarrow$ 2)- β -D-fructofuranoside or β -D-fructofuranosyl-(2 $\rightarrow$ 1)- α -D-glucopyranoside	Food grade	1 January 2015	Only uses as basic substance being an elicitor of the crop's natural defence mechanisms are approved. Sucrose shall be used in accordance with the specific conditions included in the conclusions of the review report on sucrose (SANCO/11406/2014) and in particular Appendices I and II thereof, as finalised in the Standing Committee on Plants, Animals, Food and Feed on 11 July 2014.'

⁽¹⁾ Further details on identity, specification and manner of use of basic substance are provided in the review report.

COMMISSION IMPLEMENTING REGULATION (EU) No 917/2014**of 22 August 2014****approving the active substance *Streptomyces lydicus* strain WYEC 108 in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC ⁽¹⁾, and in particular Article 13(2) and Article 78(2) thereof,

Whereas:

- (1) In accordance with Article 80(1)(a) of Regulation (EC) No 1107/2009, Council Directive 91/414/EEC ⁽²⁾ is to apply, with respect to the procedure and the conditions for approval, to active substances for which a decision has been adopted in accordance with Article 6(3) of that Directive before 14 June 2011. For *Streptomyces lydicus* strain WYEC 108 the conditions of Article 80(1)(a) of Regulation (EC) No 1107/2009 are fulfilled by Commission Implementing Decision 2011/253/EU ⁽³⁾.
- (2) In accordance with Article 6(2) of Directive 91/414/EEC the Netherlands received on 6 August 2010 an application from FuturEco Bioscience S.L. for the inclusion of the active substance *Streptomyces lydicus* strain WYEC 108 in Annex I to Directive 91/414/EEC. Implementing Decision 2011/253/EU confirmed that the dossier was 'complete' in the sense that it could be considered as satisfying, in principle, the data and information requirements of Annexes II and III to Directive 91/414/EEC.
- (3) For that active substance, the effects on human and animal health and the environment have been assessed, in accordance with the provisions of Article 6(2) and (4) of Directive 91/414/EEC, for the uses proposed by the applicant. The designated rapporteur Member State submitted a draft assessment report on 4 May 2012.
- (4) The draft assessment report was reviewed by the Member States and the European Food Safety Authority (hereinafter 'the Authority'). The Authority presented to the Commission its conclusion on the pesticide risk assessment of the active substance *Streptomyces lydicus* strain WYEC 108 ⁽⁴⁾ on 14 October 2013. The draft assessment report and the conclusion of the Authority were reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal Health and finalised within the Standing Committee on Plants, Animals, Food and Feed on 11 July 2014 in the format of the Commission review report for *Streptomyces lydicus* strain WYEC 108.
- (5) It has appeared from the various examinations made that plant protection products containing *Streptomyces lydicus* strain WYEC 108 may be expected to satisfy, in general, the requirements laid down in Article 5(1)(a) and (b) and Article 5(3) of Directive 91/414/EEC, in particular with regard to the uses which were examined and detailed in the Commission review report. It is therefore appropriate to approve *Streptomyces lydicus* strain WYEC 108.
- (6) A reasonable period should be allowed to elapse before approval in order to permit Member States and the interested parties to prepare themselves to meet the new requirements resulting from the approval.

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market (OJ L 230, 19.8.1991, p. 1).

⁽³⁾ Commission Implementing Decision 2011/253/EU of 26 April 2011 recognising in principle the completeness of the dossier submitted for detailed examination in view of the possible inclusion of metobromuron, S-Abscisic acid, *Bacillus amyloliquefaciens* subsp. *plantarum* D747, *Bacillus pumilus* QST 2808 and *Streptomyces lydicus* WYEC 108 in Annex I to Council Directive 91/414/EEC (OJ L 106, 27.4.2011, p. 13).

⁽⁴⁾ EFSA Journal 2013;11(11):3425. Available online: www.efsa.europa.eu

- (7) Without prejudice to the obligations provided for in Regulation (EC) No 1107/2009 as a consequence of approval, taking into account the specific situation created by the transition from Directive 91/414/EEC to Regulation (EC) No 1107/2009, the following should, however, apply. Member States should be allowed a period of six months after approval to review authorisations of plant protection products containing *Streptomyces lydicus* strain WYEC 108. Member States should, as appropriate, vary, replace or withdraw authorisations. By way of derogation from that deadline, a longer period should be provided for the submission and assessment of the complete Annex III dossier, as set out in Directive 91/414/EEC, of each plant protection product for each intended use in accordance with the uniform principles.
- (8) The experience gained from inclusions in Annex I to Directive 91/414/EEC of active substances assessed in the framework of Commission Regulation (EEC) No 3600/92 ⁽¹⁾ has shown that difficulties can arise in interpreting the duties of holders of existing authorisations in relation to access to data. In order to avoid further difficulties it therefore appears necessary to clarify the duties of the Member States, especially the duty to verify that the holder of an authorisation demonstrates access to a dossier satisfying the requirements of Annex II to that Directive. However, this clarification does not impose any new obligations on Member States or holders of authorisations compared to the Directives which have been adopted until now amending Annex I to that Directive or the Regulations approving active substances.
- (9) In accordance with Article 13(4) of Regulation (EC) No 1107/2009, the Annex to Commission Implementing Regulation (EU) No 540/2011 ⁽²⁾ should be amended accordingly.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Approval of active substance

The active substance *Streptomyces lydicus* strain WYEC 108, as specified in Annex I, is approved subject to the conditions laid down in that Annex.

Article 2

Re-evaluation of plant protection products

1. Member States shall in accordance with Regulation (EC) No 1107/2009, where necessary, amend or withdraw existing authorisations for plant protection products containing *Streptomyces lydicus* strain WYEC 108 as an active substance by 30 June 2015.

By that date they shall in particular verify that the conditions in Annex I to this Regulation are met, with the exception of those identified in the column on specific provisions of that Annex, and that the holder of the authorisation has, or has access to, a dossier satisfying the requirements of Annex II to Directive 91/414/EEC in accordance with the conditions of Article 13(1) to (4) of that Directive and Article 62 of Regulation (EC) No 1107/2009.

2. By way of derogation from paragraph 1, for each authorised plant protection product containing *Streptomyces lydicus* strain WYEC 108 as either the only active substance or as one of several active substances, all of which were listed in the Annex to Implementing Regulation (EU) No 540/2011 by 31 December 2014 at the latest, Member States shall re-evaluate the product in accordance with the uniform principles, as referred to in Article 29(6) of Regulation (EC) No 1107/2009, on the basis of a dossier satisfying the requirements of Annex III to Directive 91/414/EEC and taking into account the column on specific provisions of Annex I to this Regulation. On the basis of that evaluation, they shall determine whether the product satisfies the conditions set out in Article 29(1) of Regulation (EC) No 1107/2009.

⁽¹⁾ Commission Regulation (EEC) No 3600/92 of 11 December 1992 laying down the detailed rules for the implementation of the first stage of the programme of work referred to in Article 8(2) of Council Directive 91/414/EEC (OJ L 366, 15.12.1992, p. 10).

⁽²⁾ Commission Implementing Regulation (EU) No 540/2011 of 25 May 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances (OJ L 153, 11.6.2011, p. 1).

Following that determination Member States shall:

- (a) in the case of a product containing *Streptomyces lydicus* strain WYEC 108 as the only active substance, where necessary, amend or withdraw the authorisation by 30 June 2016 at the latest; or
- (b) in the case of a product containing *Streptomyces lydicus* strain WYEC 108 as one of several active substances, where necessary, amend or withdraw the authorisation by 30 June 2016 or by the date fixed for such an amendment or withdrawal in the respective act or acts which added the relevant substance or substances to Annex I to Directive 91/414/EEC or approved that substance or those substances, whichever is the latest.

Article 3

Amendments to Implementing Regulation (EU) No 540/2011

The Annex to Implementing Regulation (EU) No 540/2011 is amended in accordance with Annex II to this Regulation.

Article 4

Entry into force and date of application

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2015.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 22 August 2014.

For the Commission

The President

José Manuel BARROSO

ANNEX I

Common name, identification numbers	IUPAC name	Purity ⁽¹⁾	Date of approval	Expiration of approval	Specific provisions
<i>Streptomyces lydicus</i> strain WYEC 108 Collection number: American Type Culture Collection (USDA) ATCC 55445	Not applicable	Minimum concentration: $5,0 \times 10^8$ CFU/g	1 January 2015	31 December 2024	For the implementation of the uniform principles as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the review report on <i>Streptomyces lydicus</i> strain WYEC 108, and in particular Appendices I and II thereto, as finalised in the Standing Committee on Plants, Animals, Food and Feed on 11 July 2014 shall be taken into account. In this overall assessment Member States shall pay particular attention to: (a) the risk to aquatic organisms; (b) the risk to soil dwelling organisms. Conditions of use shall include risk mitigation measures, where appropriate.

⁽¹⁾ Further details on identity and specification of active substance are provided in the review report.

ANNEX II

In Part B of the Annex to Implementing Regulation (EU) No 540/2011, the following entry is added:

Number	Common name, identification numbers	IUPAC name	Purity ⁽¹⁾	Date of approval	Expiration of approval	Specific provisions
'79	<i>Streptomyces lydicus</i> strain WYEC 108 Collection number: American Type Culture Collection (USDA) ATCC 55445	Not applicable	Minimum concentration: $5,0 \times 10^8$ CFU/g	1 January 2015	31 December 2024	For the implementation of the uniform principles as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the review report on <i>Streptomyces lydicus</i> strain WYEC 108, and in particular Appendices I and II thereto, as finalised in the Standing Committee on Plants, Animals, Food and Feed on 11 July 2014 shall be taken into account. In this overall assessment Member States shall pay particular attention to: (a) the risk to aquatic organisms; (b) the risk to soil dwelling organisms. Conditions of use shall include risk mitigation measures, where appropriate.'

⁽¹⁾ Further details on identity and specification of active substance are provided in the review report.

COMMISSION IMPLEMENTING REGULATION (EU) No 918/2014**of 22 August 2014****amending Implementing Regulation (EU) No 540/2011 as regards the conditions of approval of the active substance Straight Chain Lepidopteran Pheromones****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC ⁽¹⁾, and in particular Article 13(2)(c) thereof,

Whereas:

- (1) The active substance Straight Chain Lepidopteran Pheromones was included in Annex I to Council Directive 91/414/EEC ⁽²⁾ by Commission Directive 2008/127/EC ⁽³⁾ in accordance with the procedure provided for in Article 24b of Commission Regulation (EC) No 2229/2004 ⁽⁴⁾. Since the replacement of Directive 91/414/EEC by Regulation (EC) No 1107/2009, this substance is deemed to have been approved under that Regulation and is listed in Part A of the Annex to Commission Implementing Regulation (EU) No 540/2011 ⁽⁵⁾.
- (2) In accordance with Article 25a of Regulation (EC) No 2229/2004, the European Food Safety Authority, hereinafter 'the Authority', presented to the Commission its view on the draft review report for Straight Chain Lepidopteran Pheromones ⁽⁶⁾ on 13 December 2013. The Authority communicated its view on Straight Chain Lepidopteran Pheromones to the notifier. The Commission invited it to submit comments on the draft review report for Straight Chain Lepidopteran Pheromones. The draft review report and the view of the Authority were reviewed by the Member States and the Commission within the Standing Committee on Plants, Animals, Food and Feed and finalized on 11 July 2014 in the format of the Commission review report for Straight Chain Lepidopteran Pheromones.
- (3) It is confirmed that the active substance Straight Chain Lepidopteran Pheromones is to be deemed to have been approved under Regulation (EC) No 1107/2009.
- (4) Straight Chain Lepidopteran Pheromones is a group of pheromones naturally produced by insects of the order of Lepidoptera. They share a common structural definition and mechanism of action. The review report of Straight Chain Lepidopteran Pheromones (SANCO/2633/2008) includes a list of individual compounds having the common structural definition of Straight Chain Lepidopteran Pheromones and being contained in authorised plant protection products. That list will be updated, as appropriate.
- (5) In accordance with Article 13(2) of Regulation (EC) No 1107/2009 in conjunction with Article 6 thereof and in the light of current scientific and technical knowledge, it is necessary to amend the conditions of approval of Straight Chain Lepidopteran Pheromones. In particular, it is appropriate to require further confirmatory information.

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market (OJ L 230, 19.8.1991, p. 1).

⁽³⁾ Commission Directive 2008/127/EC of 18 December 2008 amending Council Directive 91/414/EEC to include several active substances (OJ L 344, 20.12.2008, p. 89).

⁽⁴⁾ Commission Regulation (EC) No 2229/2004 of 3 December 2004 laying down further detailed rules for the implementation of the fourth stage of the programme of work referred to in Article 8(2) of Council Directive 91/414/EEC (OJ L 379, 24.12.2004, p. 13).

⁽⁵⁾ Commission Implementing Regulation (EU) No 540/2011 of 25 May 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances (OJ L 153, 11.6.2011, p. 1).

⁽⁶⁾ European Food Safety Authority. Conclusion on the peer review of the pesticide risk assessment of the active substance Straight Chain Lepidopteran Pheromones. EFSA Journal 2014;12(1):3524. 537 pp. doi:10.2903/j.efsa.2014.3524. Available online: www.efsa.europa.eu/efsajournal

- (6) The Annex to Implementing Regulation (EU) No 540/2011 should therefore be amended accordingly.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Amendment to Implementing Regulation (EU) No 540/2011

Part A of the Annex to Implementing Regulation (EU) No 540/2011 is amended in accordance with the Annex to this Regulation.

Article 2

Entry into force

This Regulation shall enter into force the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 22 August 2014.

For the Commission

The President

José Manuel BARROSO

In Part A of the Annex to Implementing Regulation (EU) No 540/2011, row 255 on the active substance Straight Chain Lepidopteran Pheromones is replaced by the following:

Number	Common Name, Identification Numbers	IUPAC Name	Purity	Date of approval	Expiration of approval	Specific provisions
'255	Straight Chain Lepidopteran Pheromones	Review report (SANCO/2633/2008)	Review report (SANCO/2633/2008)	1 September 2009	31 August 2019	PART A Only uses as attractants may be authorised. PART B For the implementation of the uniform principles as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the review report on straight chain lepidopteran pheromones (SANCO/2633/2008) and in particular Appendices I and II thereof, as finalised in the Standing Committee on Plants, Animals, Food and Feed shall be taken into account. Conditions of use shall include, where appropriate, risk mitigation measures. The notifier shall submit confirmatory information as regards: (1) the genotoxic profile of aldehyde group compounds; (2) exposure of humans and the environment resulting from the different ways of application of Straight Chain Lepidopteran Pheromones as plant protection product, in comparison with natural background levels of those pheromones. The applicant shall submit to the Commission, the Member States and the Authority the information set out in point (1) by 31 December 2015 and the information set out in point (2) by 31 December 2016.'

COMMISSION IMPLEMENTING REGULATION (EU) No 919/2014**of 22 August 2014****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,

Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.
- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 22 August 2014.

For the Commission,

On behalf of the President,

Jerzy PLEWA

Director-General for Agriculture and Rural Development

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0707 00 05	TR	81,4
	ZZ	81,4
0709 93 10	TR	103,7
	ZZ	103,7
0805 50 10	AR	146,9
	TR	145,8
	UY	150,0
	ZA	152,5
	ZZ	148,8
0806 10 10	BR	181,7
	CL	73,7
	EG	200,2
	MA	170,3
	TR	136,1
	ZA	318,8
	ZZ	180,1
	AR	83,7
	BR	66,9
	CL	84,1
0808 10 80	CN	120,5
	NZ	127,8
	PE	21,0
	US	131,3
	ZA	117,0
	ZZ	94,0
	AR	40,6
	CL	88,5
	TR	125,6
	ZA	100,6
0808 30 90	ZZ	88,8
	AR	40,6
	CL	88,5
0809 30	TR	120,2
	ZZ	90,4
	BA	37,0
0809 40 05	ZA	206,3
	ZZ	121,7
	BA	37,0

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

